

Minutes of May 31, 2002 Meeting
City Council Chambers
2000 Main Street
Huntington Beach

1. Vice-Chair Ameri called the meeting to order at 9:00 a.m.

2. Board Members Present

Board Members Absent

Fred Ameri, Vice-Chair
Jose Solorio
Seymour Van Gundy
John Withers
William Ruh

Carole Beswick, Chair
Joan Dotson
Karen Stein

Staff Members Present

Gerard J. Thibeault, Executive Officer
Kurt V. Berchtold, Assistant Executive Officer
Michael J. Adackapara, Supervising Water Resource Control Engineer
Joanne E. Schneider, Environmental Program Manager
Barbara Laffoon, Secretary

State Board Representative

There was none present.

Legal Counsel

Jorge Leon

Public Attendance

Doug Korthof, Stop the Waiver
Toni Conn
Don Schulz, Surfrider Foundation
Joey Racano
Steve Stump, Riverside County Flood Control & Water Conservation District (RCFC & WCD)
David Zappe, RCFC & WCD
Coen Couwenberg, RCFC & WCD
Cynthia Gabaldon, City of Corona
Gene Tansko, City of Corona
Amad Qattan, City of Corona
Jim Colston, Orange County Sanitation District
Fred Peters, Corona Airport
Bob Moehlink, City of Murrieta
Tim Davis, Riverside County Counsel
Mark Esquer, Orange County Sanitation District
Tom Boyd, City of Riverside
Mike Gow, City of Hemet
Linda Nixon, City of Hemet
Marjorie Niland, Huntington Beach
Tom Rheiner, RCFC & WCD
John Wilder, City of Beaumont
Damian Meins, Riverside County Environmental Health
Steve Van Stockum, Riverside County Environmental Health
Irwin Haydock

Greg Tewell, Surfrider Foundation
Rob Nelson
Kevin H. Kondru, County of Orange Integrated Waste Management District
Robin Rustan
Ed McKay, Aircraft Panel, Corona
Chad Reynolds
Bob Rogers, Developers Research
Scot Oldham, Developer's Research
Ed Guilmette
Bob Collacot, URS
Larry Porter, Ocean Outfall Group (OOG)
Jan Vandersloot, OOG
Christie Peck
Sam Fuller
Don McGee, OOG
H. Gifford
David Carro
Dennis Baker, Earth Resource Foundation
Bill Blankenship, Riverside County BIA
Patrick Hull
Lydia Vian, Nolte Associates
Ernest Acosta, Jr., Dept. of Fish and Game
Elroy Kigehe, City of Calimesa
Scott Koken, Semptra Utilities
Geraldine Lucas, City of Huntington Beach

2. Public Forum

City of Huntington Beach Mayor Pro-Tem Ralph Bauer welcomed the Regional Board and participants to Huntington Beach.

Members of the public addressed the Board with requests that no renewal of a 301(h) waiver be granted to Orange County Sanitation District (OCSD). They also expressed concern with OCSD's self monitoring programs and the destruction of marine life that they attributed to OCSD's plume coming ashore. Those speaking were:

Don Schulz
Rob Nelson
Christie Peck
Don McGee
Greg Tewell
Jan Vandersloot
Larry Porter, OOG
Dennis Baker
Robin Rustan
Doug Korthof
Joey Racano
Samuel Fuller
Marjorie Niland

3. Approval of Minutes of April 26, 2002 meeting

The minutes of the regular board meeting held on April 26, 2002, were approved with errata, as presented.

4. Approval of Consent Calendar

Executive Officer Thibeault noted that item No. 6, City of Tustin, 17th Street Desalter, had been postponed at the request of the discharger, and that items Nos. 5 and 7 had errata.

- *5. General Waste Discharge Requirements for the reinjection/percolation of extracted and treated groundwater resulting from the cleanup of groundwater polluted by petroleum hydrocarbons, solvents and/or petroleum hydrocarbons mixed with lead and/or solvents, Order No. R8-2002-0033
- *7. Amended Waste Discharge Requirements, Orange County Integrated Waste Management Department, Frank R. Bowerman Landfill, Order No. R8-2002-0049

Action: It was moved by Member Withers, seconded by Member Ruh, and unanimously approved to adopt item 5 and 7 with errata.

8. Mandatory Penalties Complaint, International Bay Clubs, Inc., Balboa Bay Club - Mandatory Penalties Complaint No. R8-2002-0046

Mandatory Penalties Complaint No. R8-2002-0046 will be withdrawn and reissued to the contractor who is actually responsible for the violation and has agreed to pay the assessment. No further Board action is required.

9. Nitrogen/Total Dissolved Solids (N/TDS) Task Force

This item was removed from the agenda, and the information will be included in a future presentation to the Board.

10. Resolution Approving a Memorandum of Agreement with the City of Newport Beach for the Creation and Management of the Robinson-Skinner Annuity Account for Maintenance Dredging and TMDL Compliance Projects in Newport Bay Resolution No. R8-2002-0054

The item requires that the State Board create the annuity account and will be rescheduled for a future meeting.

11. Evaluation Plan for Vessel Waste Program in Newport Bay Resolution No. R8 – 2002-0052

The item had been completed and was removed from the agenda.

12. Orange County Sanitation District (OCSD) Strategic Process Studies - Resolution No. R8-2002-0056

Gary Stewart, Chief of the Surveillance & Enforcement Section, briefly outlined the requirement that OCSD propose Strategic Process Studies (SPS) annually that further the knowledge of the effects of the OCSD's discharge on the marine environment and implement the SPS upon approval of the Regional Board. He introduced George Robertson of OCSD who presented their Year 5 proposal.

Mr. Robertson addressed issues such as the need to monitor, the Outfall Model, general areas of receiving water impact, where they monitor and the program elements. He explained that the SPS increased the understanding of physical, chemical and biological processes and answered questions that Core Monitoring does not. The SPS proposed for Year 2002 were Central Bight Water Quality Monitoring, Modeling, and Currents.

Member Withers asked what the anticipated budget was for this effort and Mr. Robertson responded \$1-1.5 million. Member Solorio asked why this item came before the Board each year. EO Thibeault explained that this was a requirement of the permit.

Mr. Stewart presented the staff recommendation that the Board adopt Order No. R8-2002-0056. Counsel Leon noted that this action was to approve the studies only, had nothing to do with a waiver and suggested the Board limit public comments to the staff presentation only.

Public comments included: the thermocline portion of OCSD's study was incomplete, why there was no bacterial testing in the area between the shoreline and the 3-mile limit, and more research should be focused on bacterial monitoring.

Speakers were:
Larry Porter
Jan Vandersloot
Irwin Haydock
David Carroll
Doug Kortoff

Action: It was moved by Member Van Gundy, seconded by Member Ruh, and carried that the Board adopt R8-2002-0056 as presented. Member Solorio abstained.

13. Orange County Sanitation District, Permit Amendment Workshop

The item was postponed to a later date.

Change the Order of the Agenda

EO Thibeault asked the Board to consider items 16 and 18 at this time to accommodate the schedules of some members.

16. Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirements for Subsurface Disposal System Use - Jim Palmer, APN 564-071-010, Idyllwild, Riverside County.

Assistant Executive Officer Kurt Berchtold explained the regulations that required staff denial of the exemption, and recommended that the Board approve the appeal with the two conditions as outlined in the staff report, which were (1) that documentation be submitted that the project is not a "new development" as defined by the Board, and (2) that the property owner obtains approval for the subsurface disposal system from Riverside County Department of Environmental Health.

Action: It was moved by Member Ruh, seconded by Member Van Gundy and carried unanimously that the Board grant the appeal with the conditions recommended by staff.

18. Corona Truck Salvage, Bruce A. Hohn Disposal Site, Corona, Review of the Executive Officer's Request for Technical Information under Section 13267 of the Water Code

Information pertaining to this item is contained in a verbatim transcript.

Ann Iaali, Environmental Scientist, presented the background of the item, showed the site location and described the regulatory history and the inspection findings.

Ms. Iaali presented the staff recommendation that the Board affirm the EO's request for information under Section 13267 of the Water Code and termination of coverage under the Board's waiver.

Member Solorio commented that the presentation seemed to indicate blatant violations and asked the EO if fines were in order. Mr. Thibeault responded that staff would bring back enforcement orders to the Board at a later date.

Mr. Hohn noted that certain of the violations were the result of unauthorized dumping. He also stated that he was unaware that some types of material were unacceptable. In other instances, he felt that the Riverside County Flood Control permitting unwanted storm water runoff from their channel and All American Asphalt's waste water runoff prevented the pond from drying.

EO Thibeault noted that representatives of the Riverside County Flood Control were in attendance at the meeting, and staff would talk with them regarding diverting the runoff. Staff recommended that the Board affirm the actions in the May 3, 2002 letter issued by the EO to Mr. Hohn.

Action: It was moved by Member Solorio and seconded by Member Van Gundy and unanimously carried that the Board affirm the request for information under Section 13267 and the termination of coverage under the waiver as indicated in the Executive Officer's May 3, 2002 letter.

14. Public Workshop, Renewal of Waste Discharge Requirements, County of Riverside and Incorporated Cities of Riverside County, Area-Wide Urban Storm Water Runoff Program (NPDES No. CAS 618033), Order No. R8 – 2002-0011

Information pertaining to this item is contained in a verbatim transcript.

Keith Elliott, Water Resources Control Engineer, presented the background of the permit, timeline, reasons for change, and comments received to date. Staff will continue to work with interested parties through June and July. A public hearing is currently scheduled to be held on the permit at the September 6, 2002 meeting in Loma Linda.

Public comments were received from:

David Zappe, Riverside County Flood and Water Control District
Amad A. Qattan, City of Corona
Kent Wegelin, City of Moreno Valley
Thomas Boyd, City of Riverside
Fred Peters
Ed McKay
Bob Collacott, URS Corp.
Glenn Greener
Bill Blankenship, Riverside County Building Industry Association
Scott Koken, Sempra Utilities
Katherine Gifford, County of riverside

15. Appeal of Staff's Denial of an Exemption from the Yucaipa/Calimesa Waste Discharge Prohibition for Subsurface Disposal System Use - Annelies Hill, APN 302-351-08, San Bernardino County

This item was postponed to a later date.

17. Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirements for Subsurface Disposal System Use – Vic Sirkin, APN 563-020-029, Idyllwild, Riverside County.

This item was removed from the agenda.

19. House of Imports, Buena Park, Review of the Executive Officer's Request for Technical Information under Section 13267 of the Water Code.

This item was removed from the agenda.

20. Supplemental Environmental Project (SEP) List

This was a written information item to advise the Board of the types of proposed SEPs.

21. Hazardous Waste and Sewage Spill Incident Report

22. Underground Storage Tanks Site Closure Report

23. Underground Storage Tanks Corrective Action Plans

Incidents of these types from this reporting period will be included on the next agenda.

24. Quarterly Violations Report

A list of violations was provided to the Board, as required by the State Water Resources Control Board's Water Quality Enforcement Policy.

25. General Permits

Staff provided a list of all new permittees recently enrolled under the Region's general permits.

26. Executive Officer's Report

The Board accepted the written report as presented.

27. Regional Board Member Communications

There was none.

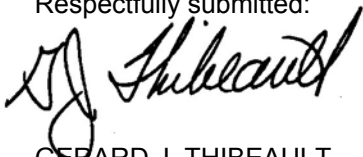
28. Closed Session

There was none.

29. Adjournment

The meeting was adjourned to the regular meeting of July 19, 2002, at 9:00 a.m., at the Joint Facilities Meeting Room of the Orange County Water District.

Respectfully submitted:

A handwritten signature in black ink, appearing to read "Gerard J. Thibault", is written over a horizontal line.

GERARD J. THIBEAULT
Executive Officer

/bjl